

Frequently Asked Questions - Smoking Ordinance

410 S. High St. | [Click here for map](#) [1]

Q. Where is smoking prohibited under the Smoking Ordinance?

A. Smoking is prohibited in all indoor public places, with certain exceptions.

Q. What is considered a public place?

A. An indoor public place is defined as any enclosed area that is open to or is used by the general public. This includes public restrooms; grocery, convenience, or retail stores; food establishments; professional, commercial, or financial offices; public or private education facilities; nursing and convalescent homes, residential treatment facilities, hospitals or other health care facilities; any building or vehicle owned or operated by the City of Longview.

Q. What is the proper signage for a "non-smoking areas?"

A. Signs must be conspicuously posted at the entrances of all public places in both English and Spanish that state and/or conspicuously post the international sign for "No Smoking".

Q. Where is smoking allowed?

A. Exceptions to the smoking ordinance include the following: A private residence, Outdoors including outdoor patios at food establishments, Hotel/motel rooms or meeting facilities that are rented to guests, An "employees only" area of a business, A designated smoking area, An establishment that excludes minors, Any property owned or operated by a county, A taxi or limousine, or A private club as defined by the ordinance.

Q. What is considered to be a private club

A. A private club is defined as any building or premises owned/leased and operated by a non-profit corporation organized under Chapter 501(c)(3) of the U.S. Internal Revenue Code where the building is either: separate from any other public place, or is independently ventilated and is separated by impermeable ceilings and walls from any other public place. An example of this type of private club would be the VFW, the Elks club, or similar groups. A private club in this ordinance is not a "private club" as defined by the Texas Alcoholic Beverage Commission.

Q. What do I need to do to be able to provide a designated smoking area?

A. Designated smoking areas can be up to 50% of the total square footage of a tobacco shop, bar, restaurant, bowling establishment or bingo establishment. No other business can have a designated smoking area within the public space of that establishment. In addition, the area must meet all of the design requirements.

Q. How must a designated smoking area be designed?

A. Designated smoking areas must: be physically separated from non-smoking areas of that establishment by impermeable walls and ceilings, be independently ventilated, have entrances and exits from the smoking area equipped with impermeable doors that are not allowed to remain open and are outfitted with automatic closing devices, not exceed 50% of the establishment's total square footage, not allow any one under the age of 18 to enter or remain in the area including guests, patrons, family members, or employees, and have the proper signage posted at the entrance to the designated smoking area.

Q. What is considered to be an independent ventilation system?

A. An independent ventilation system is an HVAC system designed by a professional engineer to: Serve only the smoking area of an establishment, create a negative pressure within the smoking area that prevents smoke from escaping, exchange the air within the smoking area every 15 minutes, and exhaust the exchanged air to the exterior of the establishment.

Q. How do I become an establishment that excludes minors?

A. Any tobacco shop, bar, restaurant, bowling establishment or bingo establishment may designate themselves as an “establishment that excludes minors” if the establishment does not allow any one under the age of 18 to enter or remain in the establishment including guests, patrons, family members or employees, the establishment is located in a separate building from any public place or is independently ventilated and completely separated from any other public place by impermeable walls and ceilings, and the establishment prominently displays signs in both English and Spanish stating that persons under the age of 18 are prohibited from entering the establishment.

Q. Can a child accompany their parent into a smoking area or can an employee of the establishment who is under 18 enter a smoking area?

A. A person under the age of 18 may not enter a smoking area.

Q. Are any permits required?

A. Any construction such as adding a wall will require a Building Permit. Any installation or modification of a HVAC system will require a Mechanical Permit. Contact Building Inspection Division at 903-237-1074 for further information.

Q. Can an employee smoke in a break room or office?

A. Yes, areas in the workplace such as break rooms or private offices that are not accessed by the public are exempt from this ordinance. However, employers may voluntarily designate any area in the workplace as non-smoking. In order to enforce any voluntary non-smoking area, signs must be posted.

For more information call: 903-237-1060 | [Contact Us](#) [2]

Source URL: <http://health.longviewtexas.gov/faq-smoking-ordinance>

Links:

[1] http://maps.google.com/maps?f=q&source=s_q&hl=en&geocode=&q=410+High+St.+75601&sll=32.495447,-94.746373&sspn=0.007818,0.018024&ie=UTF8&hq=&hnear=410+S+High+St,+Longview,+G+regg,+Texas+75601&ll=32.490343,-94.743605&spn=0.007819,0.018024&z=16
[2] <http://health.longviewtexas.gov/services-contact#Engineering@LongviewTexas.gov>